

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3717
OFFERED BY MR. STUPAK**

Media ownership and indecent broadcast

After section 10 insert the following new section
(and redesignate the succeeding sections accordingly):

1 SEC. 11. MEDIA OWNERSHIP AND INDECENT BROADCAST.

2 (a) INQUIRY AND REPORT REQUIRED.—The Comp-
3 troller General shall conduct a study identifying the rela-
4 tionship between the increasing consolidations of media
5 companies and the increasing number of violations of the
6 indecency prohibitions contained in the statutes, regula-
7 tions, and policies enforced by the Federal Communica-
8 tions Commission. The Comptroller General shall submit
9 a report on the results of such study within one year after
10 the date of enactment of this Act to the Committee on
11 Energy and Commerce of the House of Representatives
12 and the Committee on Commerce, Science, and Transpor-
13 tation of the Senate.

14 (b) NEW AUDIENCE REACH RULE SUSPENDED.—

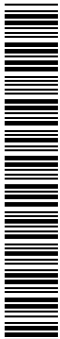
15 (1) SUSPENSION.—The final rule adopted by
16 the Federal Communications Commission pursuant
17 to its media ownership proceeding, and announced



1 by the Commission on June 2, 2003, increasing the
2 national audience reach limitation from 35 to 45
3 percent shall be invalid and without legal effect until
4 the completion and submission of the report of the
5 inquiry required by subsection (a).

6 (2) REINSTATEMENT OF PREVIOUS NATIONAL
7 AUDIENCE REACH LIMITATION DURING SUSPEN-
8 SION.—Until the completion and submission of the
9 report of the inquiry required by subsection (a), the
10 national audience reach limitation under the rules of
11 the Federal Communications Commission that was
12 in effect on June 1, 2003, is hereby reinstated as it
13 was in effect on June 1, 2003. Any such limitation
14 shall be applied and enforced both prospectively
15 after the date of enactment of this Act and retro-
16 actively to June 2, 2003, as if the media ownership
17 proceeding had not occurred.

18 (3) REPEAL.—Section 629 of the Departments
19 of Commerce, Justice, and State, the Judiciary, and
20 Related Agencies Appropriations Act, 2004, is re-
21 pealed. Section 202 of the Telecommunications Act
22 of 1996 shall be applied as if such section 629 had
23 not been enacted. This paragraph shall be effective
24 as if enacted on the day after the date of enactment
25 of Departments of Commerce, Justice, and State,



1 the Judiciary, and Related Agencies Appropriations
2 Act, 2004.

3 (c) DEFINITION.—For purposes of this section, the
4 term ‘media ownership proceeding’ means the Federal
5 Communications Commission proceeding on broadcast
6 media ownership rules (MB Docket No. 02–277, MM
7 Docket No. 01–235, MM Docket No. 01–317, and MM
8 Docket No. 00–244).

